

## Piracy and the Law

Many businesses, both large and small, face serious legal risks because of software piracy. Under the law, a company can be held liable for its employees' actions. If an employee is installing unauthorized software copies on company computers or acquiring illegal software through the Internet, the company can be sued for copyright infringement. This is true even if the company's management was unaware of the employee's actions.

Quite simply, to make or download unauthorized copies of software is to break the law, no matter how many copies are involved. Whether you are casually making a few copies for friends, loaning disks, distributing and/or downloading pirated software via the Internet, or buying a single software program and then installing it on 100 of your company's personal computers, you are committing a copyright infringement. It doesn't matter if you are doing it to make money or not — if you or your company is caught copying software, you may be held liable under both civil and criminal law.

If the copyright owner brings a civil action against you, the owner can seek to stop you from using its software immediately and can also request monetary damages. The copyright owner may then choose between actual damages, which includes the amount it has lost because of your infringement as well as any profits attributable to the infringement, and statutory damages, which can be as much as \$150,000 for each program copied. In addition, the government can criminally prosecute you for copyright infringement. If convicted, you can be fined up to \$250,000, or sentenced to jail for up to five years, or both.



## Software Installation Procedures

- ° All software is to be installed by the Technology Department. The school district is legally responsible for any software loaded on its computers. The Technology Department is responsible for maintaining software licensing compliance.
- ° Canton City Schools follows all restrictions imposed by the copyright owner. These restrictions are described in the documentation accompanying the software. In the absence of a specific description CCS assumes that it has the right to load the software onto a single computer only.
- ° Canton City Schools is responsible for all software loaded on its computers. If an employee installs unauthorized software on district computers Canton City Schools can be sued for copyright infringement. Therefore, Canton City Schools must be the owner or licensee of all software installed.
- ° Canton City Schools purchases only legitimate software products. All disks must be genuine and have appropriate manuals and documentation. We will avoid installing software from loose or hand labeled disks.
- ° The purchaser will be asked to provide proof that the product is fully licensed to Canton City Schools and/or an associated department, school house or program. The Technology Department will keep on file proof of licensing as provided by the purchaser. Purchasing departments, school houses or programs are encouraged to keep copies of their own software licensing information. Without proof of licensing the software will not be installed.
- ° Canton City Schools will avoid installing software purchased by individuals using non-district funds. Since the district must be the software licensee, any software purchased by an individual in this manner must be donated to the district and go through official School Board acceptance as a donation before it can be installed. Accepting and installing donated software is a risky practice and can easily lead to copyright infringement.
- ° The Technology Department reserves the right to maintain and enforce software standards.